

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 19cv859 (DSD/LIB)

Derrell Jacori Cole,

Petitioner,

v.

**ORDER**

Warden Karen Halverson,  
Warden,

Respondent.

This matter is before the court upon the report and recommendation of Magistrate Judge Leo I. Brisbois, dated May 16, 2019 (R&R). The magistrate judge recommended that the court dismiss pro se petitioner Derrell Jacori Cole's petition for a writ of habeas corpus under 28 U.S.C. § 2254 as untimely. No objections to the R&R have been filed within the time period permitted. See D. Minn. LR 72.2(b)(1). Under these circumstances, the court finds it appropriate to adopt the R&R.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R [ECF No. 6] is adopted in its entirety;
2. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 is dismissed as untimely [ECF No. 1], and this matter is dismissed with prejudice; and

3. No certificate of appealability is issued.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 5, 2019

s/David S. Doty  
David S. Doty, Judge  
United States District Court